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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,272	03/11/2004	Jungchuan Leo Chang	USP2416A-LC4	7203

30265 7590 02/01/2006

RAYMOND Y. CHAN
108 N. YNEZ AVE., SUITE 128
MONTEREY PARK, CA 91754

EXAMINER

BOTTORFF, CHRISTOPHER

ART UNIT	PAPER NUMBER
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3618

DATE MAILED: 02/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/799,272	Applicant(s) CHANG, JUNGCHUAN LEO	
	Examiner Christopher Bottorff	Art Unit 3618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) 8-13, 24-29, 32, 36, 37, 39, 43 and 46 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 14-23, 30, 31, 33-35, 38, 40-42, 44, 45, 47 and 48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The preliminary amendment filed April 1, 2004 has been entered. Claims 1-48 are pending.

Election/Restrictions

Applicant's election without traverse of species IV, directed to the container arrangement disclosed in relation to Figure 7, in the reply filed on January 4, 2006 is acknowledged.

Applicant asserts that claims 1-7, 14-23, 28-35, and 37-48 read on the elected species. However, the invention defined in claims 28, 29, 32, 37, 39, 43, and 46 relates to non-elected species II, which is disclosed in relation to Figures 4 and 5. Claims 8-13, 24-29, 32, 36, 37, 39, 43, and 46 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Claims 1-7, 14-23, 30, 31, 33-35, 38, 40-42, 44, 45, 47, and 48 have been considered.

Claim Objections

Claims 3, 16, and 17 are objected to because of the following informalities: The expression "detachable affixed" in claim 3, line 3, should be "detachably affixed." The expression "mounted said container" in line 4 of each of claims 16 and 17 should be "mounting said container." Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4, 6, 7, 14, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Fischer GB 2 017 606.

Fischer discloses a detachable comprising a container frame 2, 4, 5, 6, 7, and 9 having a storing chamber and two container holders 10 and 11 spacedly mounted on a rear side of the container frame to define a holding length between the container holders. See Figures 1 and 3. The holding length is larger than an upper span between two upper ends of two downwardly and outwardly extending inclination arms 17 and 18 and is smaller than a lower span between two lower ends of the inclination arms. See Figure 1. The container holders 10 and 11 are adapted for self-adjustably holding along the two inclination arms 17 and 18 respectively at a position that the holding length matches with a transverse distance between the two inclination arms 17 and 18 so as to substantially hold the detachable container to the inclination arms 17 and 18. See Figure 1.

Each of the container holders 10 and 11 has a hooking end extended from the rear side of the container frame for holding at the respective inclination arm. See Figure 3. The hooking ends serve as holding members having a U-shaped cross section, which are provided on the rear side of said container frame. Each of the holding

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members has a holding groove and a side opening for receiving the respective inclination arm within the holding groove such that the two holding members of the container holders are adapted for holding at the two inclination arms from two outer sides thereof. See Figure 3. Each of the holding grooves is downwardly and outwardly extended for matching an inclination angle of the respective inclination arm such that when the holding members 10 and 11 are slid along said inclination arms respectively, the holding members 10 and 11 are adapted for fittingly holding along the inclination arms 17 and 18 in the holding grooves respectively so as to securely hold the container frame on the vehicle. See Figure 3.

Also, two supplement container holders 12 and 13 are provided on the rear side of the container frame to define a supplemental holding length between the two supplement container holders 12 and 13 for holding along said inclination arms 17 and 18 respectively. See Figure 3. The supplemental holding length is larger than the holding length of the container holders 10 and 11 and is smaller than the lower span of said inclination arms 17 and 18. See Figures 1 and 2. The supplemental container holders 12 and 13 are adapted for self-adjustably holding along the two inclination arms 17 and 18 respectively at a position that the supplemental holding length matches with the transverse distance between the two inclination arms 17 and 18. See Figures 1 and 3.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 5, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer GB 2 017 606 in view of Oren US 4,635,801.

The container holders of Fischer are joined together in a unitary structure and are not formed as a length adjustment unit through which the holding length can be selectively adjusted. However, Oren teaches the desirability of providing holders with length adjustment units that allow the holders to be selectively adjusted. See Figure 1. Each length adjustment unit comprises a retention base 1 having a longitudinal slot 6 and a fastening unit 4, 5 securely mounting the holder to the retention base to adjustably slide the holder along the longitudinal slot so as to selectively adjust a holding length between holders. See Figures 1 and 1a. Each of the fastening units comprises a slider shaft 4 frontwardly extended from the holding member 2 of the holder to slidably pass through the longitudinal slot 6 of the retention base and a shaft fastener 5 detachably fastened with the slider shaft 4 to securely lock up the holder at the retention base 1 so as to retain the holder. See Figure 1a and column 2, lines 34-37.

From the teachings of Oren, providing the holders of Fischer with the claimed length adjustment units, rather than as a joined and stationary structure, would have been obvious to one of ordinary skill in the art at the time the invention was made. This

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would provide a structure that would effectively mount the holders to the container frame while allowing easy use and attachment of the container.

Claims 20-23, 30, 31, 33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fischer GB 2 017 606 in view of Reynolds US 582,229.

Fischer does not disclose that the container frame is collapsible as claimed. However, Reynolds teaches the desirability of arranging a container frame with structure that allows the container to collapse. See Figures 1-4. The container frame of Reynolds comprises a plurality of boundary walls 1, 2, and 3 pivotally connected with each other edges to edges and a base wall 7, 8 pivotally connected to one of the boundary walls 1 edge to edge. See Figures 1-4. A retention stopper 1' is provided at a bottom edge of the corresponding boundary wall 1 in such a manner that when the base wall 7, 8 is pivotally and downwardly folded within the boundary walls and is stopped by the retention stopper 1', a storing chamber having a top opening is substantially formed within the boundary walls and the base wall. See Figures 2 and 1. Also, Figure 1 depicts the boundary walls extending at an incline from the base wall, whereby the top opening of the boundary frame would face in an inclination manner when the container frame is held on a vehicle.

From the teachings of Reynolds, arranging the container frame of Fischer with the structure that allows the container to collapse would have been obvious to one of ordinary skill in the art at the time the invention was made. This would allow the space

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occupied by the container to be decreased when the container is not in use and would allow for compact storage of the container.

Claims 35, 38, and 40-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng et al. US 6,886,852 in view of Fischer GB 2 017 606.

Cheng et al. disclose a foldable golf cart comprising a supporting frame 5, 7, two wheel assemblies 2, 21, and two inclination arms 6. See Figures 1 and 11; column 2, lines 23-34; and column 3, lines 51-59. The supporting frame comprises an upper handle frame 5 and a lower supporting stand 7 pivotally connected to the upper handle frame 5. See Figures 1 and 11. The two wheel assemblies each comprise a side wheel 21 and a wheel arm 2 pivotally extended from the supporting frame to rotatably connect with the side wheel 21. See Figure 1. In addition, the two inclination arms 6 are outwardly, downwardly extended from the handle frame 5 to the wheel arms 2 respectively in such a manner that when the handle frame 5 is downwardly folded to overlap with the supporting stand, the two wheel arms 2 are driven to fold inwardly to reduce a distance between the two side wheels 21 so as to fold up the golf cart. See Figure 11; column 2, lines 32-34; and column 3, lines 57-59.

Cheng et al. do not disclose the claimed detachable container. However, Fischer teaches the desirability of providing the detachable container described above in relation to claims 1, 2, 4, 6, 7, 14, and 15 on wheeled vehicle. See Figures 1 and 3 and page 1, lines 27-31. From the teachings of Fischer, providing a detachable container on the golf cart of Cheng et al. would have been obvious to one of ordinary skill in the art at

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the time the invention was made. This would allow a user of the golf cart to stow goods on the cart such that goods are protected and easily accessible.

Claims 44, 45, 47, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cheng et al. US 6,886,852 in view of Fischer GB 2 017 606 as applied to claims 41 and 42 above, and further in view of Reynolds US 582,229.

Cheng et al., as modified by Fischer, do not disclose that the container frame is collapsible as claimed. However, Reynolds teaches the desirability of arranging a container frame with structure that allows the container to collapse, as described above in relation to claims 20-23, 30, 31, 33, and 34. See Figures 1-4.

From the teachings of Reynolds, arranging the container frame of Cheng et al., as modified by Fischer, with the structure that allows the container to collapse would have been obvious to one of ordinary skill in the art at the time the invention was made. This would allow the space occupied by the container to be decreased when the container is not in use and would allow for compact storage of the container.

Conclusion

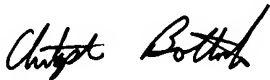
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Senay and Douglass disclose holder arrangements. Rothaermel and Uitz disclose collapsible container arrangements. Liu and Liao disclose collapsible golf cart arrangements.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Bottorff whose telephone number is (571) 272-6692. The examiner can normally be reached on Mon.-Fri. 7:30 a.m. - 4:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Ellis can be reached on (571) 272-6914. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Christopher Bottorff", with a stylized flourish at the end.

Christopher Bottorff